



# House of Representatives

General Assembly

**File No. 734**

January Session, 2013

Substitute House Bill No. 6682

*House of Representatives, May 6, 2013*

The Committee on Judiciary reported through REP. FOX, G. of the 146th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING COLLABORATION BETWEEN BOARDS OF EDUCATION AND LAW ENFORCEMENT PERSONNEL.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-220 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2013*):

3 (a) Each local or regional board of education shall maintain good  
4 public elementary and secondary schools, implement the educational  
5 interests of the state, as defined in section 10-4a, and provide such  
6 other educational activities as in its judgment will best serve the  
7 interests of the school district; provided any board of education may  
8 secure such opportunities in another school district in accordance with  
9 provisions of the general statutes and shall give all the children of the  
10 school district as nearly equal advantages as may be practicable; shall  
11 provide an appropriate learning environment for its students which  
12 includes (1) adequate instructional books, supplies, materials,  
13 equipment, staffing, facilities and technology, (2) equitable allocation  
14 of resources among its schools, (3) proper maintenance of facilities,

15 and (4) a safe school setting; shall, in accordance with the provisions of  
16 subsection (f) of this section, maintain records of allegations,  
17 investigations and reports that a child has been abused or neglected by  
18 a school employee, as defined in section 53a-65, employed by the local  
19 or regional board of education; shall have charge of the schools of its  
20 respective school district; shall make a continuing study of the need for  
21 school facilities and of a long-term school building program and from  
22 time to time make recommendations based on such study to the town;  
23 shall adopt and implement an indoor air quality program that  
24 provides for ongoing maintenance and facility reviews necessary for  
25 the maintenance and improvement of the indoor air quality of its  
26 facilities; shall adopt and implement a green cleaning program,  
27 pursuant to section 10-231g, that provides for the procurement and use  
28 of environmentally preferable cleaning products in school buildings  
29 and facilities; on and after July 1, 2011, and triennially thereafter, shall  
30 report to the Commissioner of Construction Services on the condition  
31 of its facilities and the action taken to implement its long-term school  
32 building program, indoor air quality program and green cleaning  
33 program, which report the Commissioner of Construction Services  
34 shall use to prepare a triennial report that said commissioner shall  
35 submit in accordance with section 11-4a to the joint standing  
36 committee of the General Assembly having cognizance of matters  
37 relating to education; shall advise the Commissioner of Construction  
38 Services of the relationship between any individual school building  
39 project pursuant to chapter 173 and such long-term school building  
40 program; shall have the care, maintenance and operation of buildings,  
41 lands, apparatus and other property used for school purposes and at  
42 all times shall insure all such buildings and all capital equipment  
43 contained therein against loss in an amount not less than eighty per  
44 cent of replacement cost; shall determine the number, age and  
45 qualifications of the pupils to be admitted into each school; shall  
46 develop and implement a written plan for minority staff recruitment  
47 for purposes of subdivision (3) of section 10-4a; shall employ and  
48 dismiss the teachers of the schools of such district subject to the  
49 provisions of sections 10-151 and 10-158a; shall designate the schools

50 which shall be attended by the various children within the school  
51 district; shall make such provisions as will enable each child of school  
52 age residing in the district to attend some public day school for the  
53 period required by law and provide for the transportation of children  
54 wherever transportation is reasonable and desirable, and for such  
55 purpose may make contracts covering periods of not more than five  
56 years; shall adopt and implement a policy, or enter into a  
57 memorandum of understanding with a law enforcement agency,  
58 regarding the role and responsibility of any sworn police officer of a  
59 local law enforcement agency or a sworn officer of the Division of State  
60 Police within the Department of Emergency Services and Public  
61 Protection who has been assigned to any school pursuant to an  
62 agreement between the local or regional board of education and the  
63 chief of police of a local law enforcement agency or the commanding  
64 officer of the Division of State Police, which policy or memorandum of  
65 understanding shall include provisions addressing daily interactions  
66 between students and school personnel with law enforcement  
67 personnel and the use of a graduated response model for student  
68 discipline; may place in an alternative school program or other suitable  
69 educational program a pupil enrolling in school who is nineteen years  
70 of age or older and cannot acquire a sufficient number of credits for  
71 graduation by age twenty-one; may arrange with the board of  
72 education of an adjacent town for the instruction therein of such  
73 children as can attend school in such adjacent town more conveniently;  
74 shall cause each child five years of age and over and under eighteen  
75 years of age who is not a high school graduate and is living in the  
76 school district to attend school in accordance with the provisions of  
77 section 10-184, and shall perform all acts required of it by the town or  
78 necessary to carry into effect the powers and duties imposed by law.

79 (b) The board of education of each local or regional school district  
80 shall, with the participation of parents, students, school administrators,  
81 teachers, citizens, local elected officials and any other individuals or  
82 groups such board shall deem appropriate, prepare a statement of  
83 educational goals for such local or regional school district. The  
84 statement of goals shall be consistent with state-wide goals pursuant to

85 subsection (c) of section 10-4. Each local or regional board of education  
86 shall annually establish student objectives for the school year which  
87 relate directly to the statement of educational goals prepared pursuant  
88 to this subsection and which identify specific expectations for students  
89 in terms of skills, knowledge and competence.

90 (c) Annually, each local and regional board of education shall  
91 submit to the Commissioner of Education a strategic school profile  
92 report for each school under its jurisdiction and for the school district  
93 as a whole. The superintendent of each local and regional school  
94 district shall present the profile report at the next regularly scheduled  
95 public meeting of the board of education after each November first.  
96 The profile report shall provide information on measures of (1) student  
97 needs, (2) school resources, including technological resources and  
98 utilization of such resources and infrastructure, (3) student and school  
99 performance, including truancy and discipline, (4) the number of  
100 students enrolled in an adult high school credit diploma program,  
101 pursuant to section 10-69, operated by a local or regional board of  
102 education or a regional educational service center, (5) equitable  
103 allocation of resources among its schools, (6) reduction of racial, ethnic  
104 and economic isolation, [and] (7) special education, and (8) school-  
105 based arrests. For purposes of this subsection, measures of special  
106 education include (A) special education identification rates by  
107 disability, (B) rates at which special education students are exempted  
108 from mastery testing pursuant to section 10-14q, (C) expenditures for  
109 special education, including such expenditures as a percentage of total  
110 expenditures, (D) achievement data for special education students, (E)  
111 rates at which students identified as requiring special education are no  
112 longer identified as requiring special education, (F) the availability of  
113 supplemental educational services for students lacking basic  
114 educational skills, (G) the amount of special education student  
115 instructional time with nondisabled peers, (H) the number of students  
116 placed out-of-district, and (I) the actions taken by the school district to  
117 improve special education programs, as indicated by analyses of the  
118 local data provided in subparagraphs (A) to (H), inclusive, of this  
119 subdivision. The superintendent shall include in the narrative portion

120 of the report information about parental involvement and if the district  
121 has taken measures to improve parental involvement, including, but  
122 not limited to, employment of methods to engage parents in the  
123 planning and improvement of school programs and methods to  
124 increase support to parents working at home with their children on  
125 learning activities. For purposes of this subsection, measures of  
126 truancy include the type of data that is required to be collected by the  
127 Department of Education regarding attendance and unexcused  
128 absences in order for the department to comply with federal reporting  
129 requirements and the actions taken by the local or regional board of  
130 education to reduce truancy in the school district. Such truancy data  
131 shall be considered a public record for purposes of chapter 14. For  
132 purposes of this subsection, "school-based arrest" means an arrest of a  
133 student, who is enrolled in a school under the jurisdiction of the local  
134 or regional board of education preparing the strategic school profile  
135 report, on school property during the school day, or an arrest of such  
136 student at a school-sponsored activity conducted on or off school  
137 property. For purposes of this subsection, measures of school-based  
138 arrests shall include the number of arrests made annually at each  
139 school within the school district. Upon receipt of a board of education's  
140 strategic school profile report, the Department of Education shall  
141 disaggregate measures of school-based arrests by school, race,  
142 ethnicity, gender, age, students with disabilities, English language  
143 learners and type of offense for which the school-based arrests were  
144 made. The Department of Education shall make the disaggregated  
145 measures of school-based arrests available through the public school  
146 information system implemented pursuant to section 10-10a.

147 (d) Prior to January 1, 2008, and every five years thereafter, for  
148 every school building that is or has been constructed, extended,  
149 renovated or replaced on or after January 1, 2003, a local or regional  
150 board of education shall provide for a uniform inspection and  
151 evaluation program of the indoor air quality within such buildings,  
152 such as the Environmental Protection Agency's Indoor Air Quality  
153 Tools for Schools Program. The inspection and evaluation program  
154 shall include, but not be limited to, a review, inspection or evaluation

155 of the following: (1) The heating, ventilation and air conditioning  
156 systems; (2) radon levels in the air; (3) potential for exposure to  
157 microbiological airborne particles, including, but not limited to, fungi,  
158 mold and bacteria; (4) chemical compounds of concern to indoor air  
159 quality including, but not limited to, volatile organic compounds; (5)  
160 the degree of pest infestation, including, but not limited to, insects and  
161 rodents; (6) the degree of pesticide usage; (7) the presence of and the  
162 plans for removal of any hazardous substances that are contained on  
163 the list prepared pursuant to Section 302 of the federal Emergency  
164 Planning and Community Right-to-Know Act, 42 USC 9601 et seq.; (8)  
165 ventilation systems; (9) plumbing, including water distribution  
166 systems, drainage systems and fixtures; (10) moisture incursion; (11)  
167 the overall cleanliness of the facilities; (12) building structural  
168 elements, including, but not limited to, roofing, basements or slabs;  
169 (13) the use of space, particularly areas that were designed to be  
170 unoccupied; and (14) the provision of indoor air quality maintenance  
171 training for building staff. Local and regional boards of education  
172 conducting evaluations pursuant to this subsection shall make  
173 available for public inspection the results of the inspection and  
174 evaluation at a regularly scheduled board of education meeting and on  
175 the board's or each individual school's web site.

176 (e) Each local and regional board of education shall establish a  
177 school district curriculum committee. The committee shall  
178 recommend, develop, review and approve all curriculum for the local  
179 or regional school district.

180 (f) Each local and regional board of education shall maintain in a  
181 central location all records of allegations, investigations and reports  
182 that a child has been abused or neglected by a school employee, as  
183 defined in section 53a-65, employed by the local or regional board of  
184 education, conducted pursuant to sections 17a-101a to 17a-101d,  
185 inclusive, and section 17a-103. Such records shall include any reports  
186 made to the Department of Children and Families. The Department of  
187 Education shall have access to such records.

This act shall take effect as follows and shall amend the following sections:
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Section 1	<i>July 1, 2013</i>	10-220
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**JUD**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**Explanation**

The bill, which requires (1) local or regional boards of education to adopt a policy or enter into a memorandum of understanding with the police agency responsible for placing a sworn police officer within their school, (2) each board's strategic school profile to report on various school-arrest related measures, and (3) the State Department of Education (SDE) to make public various characteristics of school based arrests, is not anticipated to result in a fiscal impact.

**The Out Years**

**State Impact:** None

**Municipal Impact:** None



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**OLR Bill Analysis****sHB 6682*****AN ACT CONCERNING COLLABORATION BETWEEN BOARDS OF  
EDUCATION AND LAW ENFORCEMENT PERSONNEL.*****SUMMARY:**

This bill requires a local or regional school board to adopt and implement a policy or enter into a memorandum of understanding (MOU) with a state or local police agency defining the role and responsibility of any sworn police officer placed in a school under an agreement with the police agency. These policies and MOUs must address daily interactions between students, school personnel, and police officers, as well as the use of a graduated response model for student discipline (see BACKGROUND).

The bill also requires each board's annual strategic school profile (SSP) report for each school and the district as a whole to include measures of (1) student and school-wide discipline and (2) school-based arrests. The state Department of Education (SDE), upon receipt of arrest information, must disaggregate it by school, race, ethnicity, gender, age, disability or English language learner status, and type of offense. This information must be made available through the public school information system. The system is a student-tracking database that protects individual confidentiality, yet makes information available for limited purposes.

EFFECTIVE DATE: July 1, 2013

**SCHOOL-BASED ARRESTS**

The bill defines a “school-based arrest” as an arrest on school property during the school day or at a school-sponsored activity on or off school property, of a student enrolled in a school under the jurisdiction of a local or regional board of education responsible for

submitting the SSP. “Measures of school-based arrests” means the number of arrests made that year at each school in the reporting district.

## **BACKGROUND**

### ***Strategic School Profile Reports***

SSPs report on district and school information in areas such as student needs, school resources, student and school performance, and provision of special education services. By law, local and regional boards of education are responsible for creating and submitting the report to the education commissioner. SSPs are public documents.

### ***Graduated Response Model***

The Juvenile Justice Advisory Committee, which advises the governor and the Office of Policy and Management on juvenile justice and delinquency prevention, developed a model MOU for use between districts and police departments. The graduated response model in its MOU contains guidelines on classroom intervention; school administrative intervention, assessment, and service provision; and law enforcement intervention.

### ***Related Bill***

HB 6624, favorably reported by the Education Committee, requires SDE to develop and implement a new state longitudinal data system that acquires many aspects of the existing public school information system, expands criteria for collected data, imposes new limits on public access to data, and grants superintendents access to certain data.

## **COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea    40        Nay    4        (04/19/2013)